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**TERMINAL DISCLAIMER TO OBTAIN A DOUBLE PATENTING REJECTION OVER A "PRIOR" PATENT**

Docket Number (Optional)  
IVT,0075C1US

In re Application of: E. Michael Watts, et al.

Application No.: 09/910,656

Filed: July 20, 2001

For: Method And Apparatus For Providing Subsidiary Data Synchronous To Primary Content Data

The owner\*, Heathway Holdings LLC, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend the expiration date of the full statutory term prior patent 6,324,694 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that

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- 2.  The undersigned is an attorney or agent of record. Reg. \_\_\_\_\_

\_\_\_\_\_  
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- Terminal disclaimer fee under 37 CFR 1.20(d) included.

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